HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION Nos.11233 of 2004 and 12177 of 2005

Dated:07.12.2006

Between:

Sri Payyavula Lachaiah and another.

...Petitioner

and

The District Collector and others.

...Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION Nos.11233 of 2004 and 12177 of 2005

COMMON ORDER:

In these Writ Petitions, the petitioners claim to have been in possession of part of the land in Survey No.1498 admeasuring Acs.3.15 guntas known as "Chakalarivari Kunta". They also allege that they were assigned land by granting pattas under Laoni Rules. When they were taking steps for erecting fence to protect the land, respondents 2 and 3 allegedly threatened and stopped the construction. Therefore, they filed these Writ Petitions.

This Court in similar matters, being W.P.No.10567 of 2004 and batch, dated 22.09.2004, disposed of the matters directing the Revenue Divisional Officer to conduct enquiry into the question whether the pattas produced by the petitioners or the documents under which the petitioners claim are fake and fabricated, after giving notice to the petitioners. This Court also ordered *status quo*. In the said order, this Court held as under.

> All the petitioners have filed copies of Special Laoni Land Certificates issued by the Mandal Revenue Officer, Siddipet. A reading of these would show that they were duly stamped and signed by the Mandal Revenue Officer on the date of issue. They contain the names of the petitioners as well as the File Number. Therefore, instead of deciding the question as to whether the petitioners were allotted pattas in respect of the land in Survey No.1498, this Court considers it

appropriate to direct the Revenue Divisional Officer, Siddipet, Medak District, to conduct enquiry into the matter with reference to the Special Laoni Land Certificates (pattas) allegedly issued by the Mandal Revenue Officer. The enquiry shall be completed after giving notice and opportunity to the petitioners and after considering their explanation, if any. After enquiry, if it is found that the land occupied by petitioners is water body, the petitioners may be assigned land suitable for construction of houses. If the petitioners are in possession of the land, they shall not be dispossessed till completion of the enquiry by the Revenue Divisional Officer, as directed hereinabove. Till then there shall be *status quo* obtaining as on today.

Following the same, these Writ Petitions are disposed of in similar terms. No costs.

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(V.V.S.RAO, J)

07.12.2006
vs